

UNITED STATES DISTRICT COURT

for the
Middle District of North Carolina

Division



Bryan Lee James

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Ray Cooper

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

1:20-cv-01017

(to be filled in by the Clerk's Office)

Jury Trial: (check one)

☐

Yes

☒

No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Bryan Lee James
3913 Heidelberg Drive
Hope Mills Cumberland County
NC 28348
910-434-4438
bryanleejames@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Ray Cooper
Governor of NC
20301 Mail Service Center
Raleigh WAKE County
NC 27699-0301

Defendant No. 2

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 3

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 4

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title 18 U.S.C Section 242
Deprivation of Rights under color of law

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the
State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See statement of claim on papers numbered 1-4!

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

→ 100,000 in punitive damages to punish the defendant for supporting unconstitutional laws, that has harmed me over time.

→ 50,000 in general damages for my pain and suffering being on the NY Spx offender registry

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

11/03/20

Signature of Plaintiff

Bryan Lee James

Printed Name of Plaintiff

Bryan Lee James

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

①

I am subjected along with all other registered sex offenders to face vengeful, additional punishment of registration under the N.C. sex offender registry. The N.C. sex offender registry violates my Country's founding documents and U.S. constitution by singling out a specific category of offenders for unfair, unconstitutional punishment. The N.C. sex offender registry has metastasized violating my constitutional rights of due process, the right to be free from double jeopardy and the right to avoid cruel and unusual punishment. The N.C. sex offender registry violates my due process rights and

②

specifically the tenet of presumption of innocence, or the idea that a person is innocent until proven guilty. The NoC sex offender registry makes courts presume that an individual such as myself, has the propensity to commit a certain type of crime in the future and therefore I must be scrupulously supervised. The 5th Amendment element of due process known as "double jeopardy" protects me and all citizens of N.C from being prosecuted for the same offense twice. It also prohibits multiple punishments for the same crime. Since I have

already completed my sentence on ^③ October
4th 2013, The N.C. sex offender registry
wants to repeatedly punish me detrimentally.
The N.C. sex offender registry inflicts
secondary punishments on me such as the inability
to qualify for housing and my increased difficulties
of securing employment since my sentence
completion date. The N.C. sex offender
registry effectively removes re-entry resources
not just for Bryan Lee James but for
all registered sex offenders in N.C. The
N.C. sex offender registry repeated punishments
violates my 8th Amendment rights because

④
it imposes cruel and unusual punishment.
Since my sentence completion date of October
4th 2013, I have had to provide my name,
address, photo, employment status, and DNA
sample which should be considered vindictive
since incarceration should have been classified as
punishment and a deterrence, so any subsequent
punishment can only be vindictive. Protecting
the constitutional rights of myself and
other sex offenders is of the upmost
importance for protecting our freedom.